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13 *Toshiba America, Inc.,*

14 *Toshiba America Consumer Products, LLC,*

15 *Toshiba America Information Systems, Inc.,*

16 *and Toshiba America Electronic Components, Inc.*

17 UNITED STATES DISTRICT COURT
18 NORTHERN DISTRICT OF CALIFORNIA
19 (SAN FRANCISCO DIVISION)

20 IN RE: CATHODE RAY TUBE (CRT)
21 ANTITRUST LITIGATION

22 Case No. 07-5944 SC
23 MDL No. 1917

24 This Document Relates to:

25 *The Indirect Purchaser Action*

26 **DECLARATION OF SAMUEL J.**
27 **SHARP IN SUPPORT OF THE**
28 **TOSHIBA DEFENDANTS'**
ADMINISTRATIVE MOTION TO
FILE DOCUMENTS UNDER SEAL
PURSUANT TO CIVIL LOCAL
RULES 7-11 AND 79-5(d)

DECLARATION OF SAMUEL J. SHARP IN SUPPORT OF
THE TOSHIBA DEFENDANTS' ADMINISTRATIVE MOTION TO
FILE DOCUMENTS UNDER SEAL PURSUANT TO CIVIL LOCAL RULES 7-11 AND 79-5(d)

Case No. 07-5944 SC

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1 I, Samuel J. Sharp, hereby declare as follows:

2 1. I am an attorney with the law firm of White & Case LLP, attorneys for
3 Defendants Toshiba Corporation, Toshiba America, Inc., Toshiba America Information
4 Systems, Inc., Toshiba America Consumer Products, LLC, and Toshiba America Electronic
5 Components, Inc. (collectively, the "Toshiba Defendants"). I make this declaration in
6 support of the Toshiba Defendants' Administrative Motion to File Documents Under Seal
7 Pursuant to Civil Local Rules 7-11 and 79-5(d) (the "Motion to Seal").

8 2. Except for those matters stated on information and belief, which I believe to be
9 true, I have personal knowledge of the facts set forth herein and, if called upon, could and
10 would competently testify thereto under oath.

11 3. On June 18, 2008, the Court approved a Stipulated Protective Order (Dkt. No.
12 306) in this matter.

13 4. The Toshiba Defendants and other parties to this litigation have produced in
14 this action certain documents and information designated as either "Confidential" or "Highly
15 Confidential" pursuant to the Stipulated Protective Order.

16 5. On February 13, 2015, the Toshiba Defendants filed an administrative motion
17 to seal the following materials pursuant to Civil Local Rules 7-11 and 79-5(d):

- 18 a. Exhibit B to the Hogue Declaration, which is the Declaration of Janet S.
19 Netz, Ph.D., in Support of Motion of Indirect-Purchaser Plaintiffs for Class
20 Certification that the IPPs have previously submitted under seal because it
21 contains information designated "Confidential" and/or "Highly
22 Confidential" under the Stipulated Protective Order;
- 23 b. Exhibit C to the Hogue Declaration, which is the Expert Report of Janet S.
24 Netz, Ph.D. that the IPPs have designated as "Highly Confidential" under
25 the Stipulated Protective Order;
- 26 c. Exhibit D to the Hogue Declaration, which is the Rebuttal Expert Report
27 of Janet S. Netz, Ph.D. that the IPPs have designated as "Highly
28 Confidential" under the Stipulated Protective Order;

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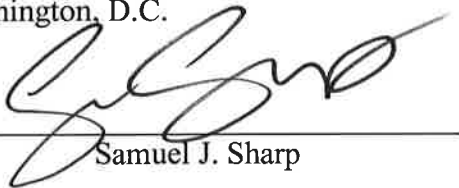
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- 1 d. Exhibit K to the Hogue Declaration, which is the Indirect Purchaser
2 Plaintiffs' Objections and Responses to Defendant Panasonic Corporation
3 of North America's First Set of Interrogatories that the IPPs have
4 designated as "Confidential" under the Stipulated Protective Order;
- 5 e. Exhibit L to the Hogue Declaration, which is excerpts from the transcript
6 of the deposition of Janet S. Netz, Ph.D., dated October 31, 2014, that IPPs
7 have designated as "Confidential" under the Stipulated Protective Order;
8 and
- 9 f. The redacted portions of the Toshiba Defendants' Motion to Decertify the
10 IPP Statewide Classes for Damages that quote from the exhibits listed
11 above.

12 6. Pursuant to Civil Local Rules 7-11 and 79-5(d), this Court's General Order
13 No. 62, Electronic Filing of Documents Under Seal, effective May 10, 2010, and the
14 Protective Order, Exhibits B, C, D, K, and L to the Hogue Declaration should be maintained
15 under seal pending further supporting declarations from the designating parties. Under the
16 Stipulated Protected Order, it is the burden of the parties designating those exhibits as
17 "Confidential" or "Highly Confidential" to demonstrate that those materials should remain
18 under seal.

19 I declare under penalty of perjury under the laws of the United States of America that
20 the foregoing is true and correct.

21 Executed this 13th day of February, 2015, in Washington, D.C.

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23 _____
24 Samuel J. Sharp

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CERTIFICATE OF SERVICE

On February 13, 2015, I caused a copy of “DECLARATION OF SAMUEL J. SHARP IN SUPPORT OF THE TOSHIBA DEFENDANTS’ ADMINISTRATIVE MOTION TO FILE DOCUMENTS UNDER SEAL PURSUANT TO CIVIL LOCAL RULES 7-11 AND 79-5(d)” to be electronically filed via the Court’s Electronic Case Filing System, which constitutes service in this action pursuant to the Court’s order of September 29, 2008.

/s/ Lucius B. Lau

Lucius B. Lau

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